

Re : Amendment and Response Office Action Mailed March 17, 2006
Appl. No. : 10/726,797
Filed : December 13, 2003

II. REMARKS

Claims 1-9 and 11-24 are currently pending in the application. The Office Action allowed Claims 23 and 24; rejected Claims 1, 4, 5, 11, 12 and 14-22; and objected to Claims 2, 3, 6-10 and 13 as being dependent upon a rejected base claim, but stated that these claims would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

As set forth above, Applicants cancelled Claim 13 and amended Claims 1, 12, 20 and 21 to further clarify, define and/or broaden the claimed invention, and expedite receiving a Notice of Allowance. Pursuant to 37 C.F.R. § 1.121(f), no new matter is introduced by these amendments or new claims. Applicants believe that Claims 1-9, 11-12 and 14-24 are now in condition for allowance.

Please note that Applicants' remarks are presented in the order in which the issues were raised in the Office Action for the convenience and reference of the Examiner. In addition, Applicants request that the Examiner carefully review any references discussed below to ensure that Applicants' understanding and discussion of the references, if any, is consistent with the Examiner's. Further, the following remarks are not intended to be an exhaustive enumeration of the distinctions between any particular reference and the claimed invention. Rather, the distinctions identified and discussed below are presented solely by way of example to illustrate some of the differences between the claimed invention and that reference.

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A. Response to the Rejection under Section 103(a)

The Office Action rejected Claims 1, 4, 5, 11, 12 and 14-22 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,909,934 issued to McGraw in view of U.S. patent No. 5,997,118 issued to McBrayer, et al. The Office Action contends that the McGraw patent teaches a table (Fig. 2; see Attachment A) comprising: a plastic table top having a top portion, a bottom portion and a pair of spaced apart generally L-shaped brackets extending outwardly from the bottom portion. The Office Action states the vertical portions of the brackets are plastic, integral with the table top, include a hollow interior portion and can be considered as receiving portions with bottom and lateral portions (each portion is marked with lines). The Office Action states another portion of each of the brackets is an angle iron (45) which is attached to the respective vertical portion and forms the horizontal portion of each of the L-shaped brackets. The Office Action also states the brackets and bottom portion of the table define a chamber. Also, the Office Action states a pair of legs (50) is connected to the table top (via column 10) and a keyboard tray (44) is slidably disposed in the chamber.

The Office Action acknowledges that for Claims 1, 12, 20 and 21, the McGraw patent fails to teach that a drawer is slidably disposed in the chamber. The Office Action, however, contends that the McBrayer patent teaches a keyboard drawer (Fig. 6) that is slidably disposed in a chamber. The Office Action concludes that it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the table of McGraw by using an alternative support for its keyboard, e.g., using a keyboard drawer such as is taught by the McBrayer patent instead of the keyboard tray presently used, since these supports are functionally equivalent and it appears that either type of

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support would work equally well in the table shown in the McGraw patent. The Office Action states furthermore, a keyboard drawer, when in its stored position, would help prevent dust, etc. from settling on the keyboard, because of its sides, front wall and back wall. The Office Action noted that product by process claims are given no weight in article claims.

Applicants respectfully traverse this rejection because, *inter alia*, neither the McGraw nor McBrayer, either alone or in combination, teach, suggest or disclose each and every limitation of Claims 1, 4, 5, 11, 12 and 14-22. Nevertheless, to further clarify, define and/or broaden the claimed invention, and expedite receiving a Notice of Allowance, Applicants amended Claims 1, 12, 20 and 21 as discussed in more detail below.

Claim 1

Applicants amended Claim 1 to provide “a bottom portion including a generally planar section; and a pair of spaced apart generally L-shaped brackets extending outwardly from the generally planar section of the bottom portion of the table top, each bracket of the pair of generally L-shaped brackets including a generally vertical portion extending beyond the bottom portion of the table top and a generally horizontal portion, the generally vertical portion including a generally parallel inner surface and outer surface, the generally horizontal portion including a generally parallel upper surface and lower surface, the pair of generally L-shaped brackets being separate and distinct structures from the table top.” In addition, Applicants amended Claim 1 to provide “at least a portion of the generally L-shaped brackets being constructed from plastic and being integrally formed with the table top as part of a unitary, one-piece structure, the portion of the generally L-

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shaped brackets constructed from plastic including a hollow interior portion at least partially disposed between the generally parallel inner surface and outer surface of the generally vertical portion.”

Thus, Claim 1 now positively recites that the bottom portion includes a generally planar section. Claim 1 also now positively recites that the pair of spaced apart generally L-shaped brackets extend outwardly from the generally planar section of the bottom portion of the table top, each bracket of the pair of generally L-shaped brackets includes a generally vertical portion extending beyond the bottom portion of the table top and a generally horizontal portion, the generally vertical portion including a generally parallel inner surface and outer surface, the generally horizontal portion including a generally parallel upper surface and lower surface, the pair of generally L-shaped brackets being separate and distinct structures from the table top. In addition, Claim 1 positively recites that at least a portion of the generally L-shaped brackets is constructed from plastic and is integrally formed with the table top as part of a unitary, one-piece structure, the portion of the generally L-shaped brackets constructed from plastic includes a hollow interior portion at least partially disposed between the generally parallel inner surface and outer surface of the generally vertical portion.

In contrast, the McGraw and McBrayer patents, either alone or in combination, do not disclose a table top with a bottom portion including a generally planar section with a pair of spaced apart generally L-shaped brackets extending outwardly from the generally planar section of the bottom portion of the table top, each bracket of the pair of generally L-shaped brackets including a generally vertical portion extending beyond the bottom portion of the table top and

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a generally horizontal portion, the generally vertical portion including a generally parallel inner surface and outer surface, the generally horizontal portion including a generally parallel upper surface and lower surface, **a pair of generally L-shaped brackets that are separate and distinct structures from the table top, or a portion of the generally L-shaped brackets that is constructed from plastic and includes a hollow interior portion at least partially disposed between the generally parallel inner surface and outer surface of the generally vertical portion.**

Accordingly, because the McGraw and/or McBrayer patents do not disclose each and every limitation of Claim 1, Applicants respectfully request that this Section 103(a) rejection be withdrawn. Further, Applicants respectfully request that the rejection of Claims 4, 5 and 11 also be withdrawn at least because these claims are dependent upon Claim 1.

Claim 12

The Office Action objected to Claim 13 as being dependent upon a rejected base claim, but stated that these claims would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. In response, Applicants amended Independent Claim 12 to include the limitations of Claim 13. Accordingly, Claim 12 should now be allowable and Applicants request that this rejection of Claim 12 be withdrawn. Applicants also request that the rejection of Claims 14-19 also be withdrawn at least because these claims are dependent upon amended Claim 12.

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Claim 20

Applicants amended Claim 20 to provide “the entire first generally L-shaped bracket being formed integrally with the plastic table top during the blow-molding process” and “the entire second generally L-shaped bracket being formed integrally with the plastic table top during the blow-molding process.” These limitations are similar to those contained within Claim 2, which the Office Action objected to as being dependent upon a rejected base claim, but stated that this claim would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

Applicants believe that incorporating the limitations of objected to Claim 2 into Claim 20 now renders Claim 20 in condition for immediate allowance. Thus, Applicants request that this rejection of Claim 20 be withdrawn.

Claim 21

Applicants amended Claim 21 to provide “a bottom portion including a generally planar section; and a pair of spaced apart generally L-shaped brackets extending outwardly from the generally planar section of the bottom portion of the table top, the pair of generally L-shaped brackets being separate and discrete structures from the table top, at least a portion of the generally L-shaped brackets being constructed from plastic and being integrally formed with the table top as part of a unitary, one-piece structure, the brackets and the bottom portion of the plastic table top at least partially defining a chamber.” Thus, Claim 21 now positively recites that **the bottom portion includes a generally planar section**. Claim 21 also now positively recites that **the pair of spaced**

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apart generally L-shaped brackets extend outwardly from the generally planar section of the bottom portion of the table top, the pair of generally L-shaped brackets are separate and discrete structures from the table top, at least a portion of the generally L-shaped brackets being constructed from plastic and being integrally formed with the table top as part of a unitary, one-piece structure, the brackets and the bottom portion of the plastic table top at least partially defining a chamber.

The McGraw and McBrayer patents, alone or in combination, do not disclose a table top with a bottom portion including a generally planar section, a pair of spaced apart generally L-shaped brackets extending outwardly from the generally planar section of the bottom portion of the table top, the pair of generally L-shaped brackets being separate and discrete structures from the table top, or at least a portion of the generally L-shaped brackets being constructed from plastic and being integrally formed with the table top as part of a unitary, one-piece structure.

Accordingly, because the McGraw and/or McBrayer patents do not disclose each and every limitation of Claim 21, Applicants respectfully request that this Section 103(a) rejection be withdrawn. Further, Applicants respectfully request that the rejection of Claim 22 also be withdrawn at least because this claim is dependent upon amended Claim 21.

B. Allowable Subject Matter

The Office Action stated that Claims 2, 3, 6-10 and 13 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. As discussed above, Applicant

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amended independent Claim 12 to include the limitations of Claim 13 and amended independent Claim 20 to include the limitations of Claim 2. Thus, Applicants respectfully submit that Claims 12 and 20 are allowable. Claims 14-19 and 21 should also be allowable at least because these claims are dependent upon Claims 12 and 20, respectively.

CONCLUSION

In view of the foregoing, Applicants submit that Claims 1-9 and 11-12 and 14-24 are allowable over the cited references and are in condition for allowance. Accordingly, Applicants request that a Notice of Allowance be promptly issued.

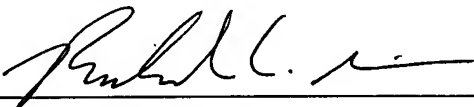
If any further impediments to allowance of this application remain, the Examiner is cordially invited to contact the undersigned by telephone so that these remaining issues may be promptly resolved.

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The Commissioner is authorized to charge payment of any additional fees associated with this communication, which have not otherwise been paid, to Deposit Account No. 23-3178. If any additional extension of time is required, which have not otherwise been requested, please consider this a petition therefore and charge any additional fees that may be required to Deposit Account No. 23-3178.

Respectfully submitted,

Dated: June 19, 2006

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